

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Gram Panchayats - Hasgal Gram Panchayat, Bichkunda Mandal, Nizamabad District – Sri. Vadla. Babu, Sarpanch, Hasgal Gram Panchayat, Bichkunda Mandal, Nizamabad District (Removed) under section 249(1) of Andhra Pradesh Panchayat Raj Act, 1994 – for misappropriation of Gram Panchayat Funds - Appeal Petition filed by him before the Government – Dismissed -Orders – Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (PTS.II) DEPARTMENT

**G.O. Rt No.1483**

**Dated: 6-10-2008**  
**Read the following :**

- 1) From the District Collector (PW), Nizamabad District, Order No. 288/2008-B5(Pts.), dt. 29-07-2008. .
- 2) Sri Vadla. Babu, Sarpanch (Removed), Hasgal Gram Panchayat, Appeal Petition dated. 02-08-2008.
- 3) Govt. Memo. No. 18436/PTs-II/A1/2008-1, dt. 07-08-2008.
- 4) Govt. Telegram No. 18436/PTs-II/A1/2008-2, dt. 13-08-2008.
- 5) From the District Panchayat Officer, Nizamabad District, Lr.Roc.No. 288/2008-B5 (Pts), dt. 21-08-2008.

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**ORDER:**

In the reference 1<sup>st</sup> read above, the District Collector, (PW), Nizamabad District has removed Sri. Vadla. Babu, Sarpanch, Hasgal Gram Panchayat, Bichkunda Mandal, Nizamabad District under section 249(1) of A.P.P.R. Act, 1994 for misappropriation of Gram Panchayat Funds.

2) Aggrieved by the above orders, Sri. Vadla. Babu, Sarpanch, Hasgal Gram Panchayat, Bichkunda Mandal, Nizamabad District (Removed) has filed an Appeal Petition before Government and requested to set aside the orders passed by the District Collector, (PW), Nizamabad District.

3) In the reference 3<sup>rd</sup> read above, Government have requested to the District Collector, (PW), Nizamabad District to furnish his report to Government along with his specific remarks in the matter.

4) The case was heard on 29-08-2008. The Petitioner appeared along with his Advocate, the District Panchayat Officer, Nizamabad District has also appeared with records. The Petitioner Advocate while reiterating the contentions raised in the Petition has argued that the authorities at the instance of Upa-Sarpanch who want to grab the post of Sarpanch, has removed the Petitioner. He has further contended that the authorities have not taken into consideration the Bills and Vouchers produced by the Petitioner and hastily removed the Petitioner, that the tax collection receipts were issued without the knowledge of the Petitioner with a motive to remove the Sarpanch. He has, therefore, pleaded that the impugned order set aside and the petitioner be re-inducted as Sarpanch of Hasgal Gram Panchayat.

**(P.T.O)**

5) Government have gone through the records brought by the District Panchayat Officer, and also the material papers filed by the Petitioner as well as the arguments adduced during the hearing. It is an record that during the enquiry conducted by the Divisional Panchayat Officer Bodhan the Petitioner failed to produce the records and vouchers for an amount of Rs. 3,02,584/- drawn and spent by the petitioner. Based on the report of Divisional Panchayat Officer, a Show Cause Notice was issued to the Petitioner to explain as to why he should not be removed from the post of Sarpanch for misappropriation of Rs. 3,02,564/- of Gram Panchayat Funds. On consideration of the explanation of the Petitioner and on further verification of records, vouchers and Bills produced by the Petitioner along with his explanation, it was held by the District Collector, (PW), that the Petitioner failed to account for Rs. 74,330/- out of Rs. 3,02,564/- and it was concluded that the Petitioner has misappropriated an amount of Rs. 74,330/-. Therefore, the District Collector, (PW), has rightly exercised his power under section 249 (1) of A.P.P.R. Act, 1994 and removed the Petitioner from the post of Sarpanch. Government further verified the records at the time of hearing with the material paper filed by the petitioner. The receipts were issued without his knowledge. It was amply proved that the petitioner has misappropriated an amount of Rs. 74,330/- as he failed to account for the same.

6) There is no any illegality, irregularity find in the impugned orders. The Appeal Petition is therefore dismissed.

7) The District Collector, (PW), Nizamabad District is hereby requested to take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

CHITRA RAMCHANDRAN  
SECRETARY TO GOVERNMENT

To

The District Collector, (PW), Nizamabad District .  
The District Panchayat Officer, Nizamabad District.

**Copy to:-**

The Commissioner, PR & RE., A.P., Hyderabad.  
The Sf/Scs.

// FORWARDED BY ORDER //

SECTION OFFICER